

So tonight, Madam Speaker, may we each remind ourselves that our own days in this sunshine of life are also numbered and that all too soon each of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on yet another day to come, may that be the day when we finally hear the cries of the innocent unborn. May that be the day we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect the least of these, our tiny American brothers and sisters, from this murderous scourge upon our Nation called abortion on demand.

It is April 9, 2008—12,861 days since *Roe v. Wade* first stained the foundation of this Nation with the blood of its own children—this, in the land of free and the home of the brave.

INTRODUCTION OF THE SHARK CONSERVATION ACT OF 2008

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2008

Ms. BORDALLO. Madam Speaker, today I have introduced a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

Sharks are long-lived apex predators with comparatively small populations, making it difficult for them to breed rapidly enough to maintain populations under fishing pressure. Sharks have been increasingly exploited in recent decades, both as bycatch in the pelagic longline fisheries from the 1960s onward, and as targets in direct fisheries that expanded rapidly in the 1980s. The rising demand for shark fins over past decades has also led to increases in the particularly exploitive practice of shark finning, where fins of sharks are removed and the carcass is discarded at sea.

According to scientists, scalloped hammerhead, white, and thresher shark populations are each estimated to have declined by over 75 percent in the past 15 years due in large part to these fishing pressures. Removing these top predators drastically changes the food web structure, and marine diversity and ecosystem health. Addressing the practice of shark finning is an imperative step toward the conservation of sharks and marine ecosystems.

Congress recognized shark finning as an inherently wasteful practice in enacting the Shark Finning Prohibition Act of 2000 (Public Law 106-557). This Act prohibits U.S. fishermen from removing the fins of sharks and discarding the carcass at sea, and from landing or transporting shark fins without the corresponding carcass.

The Shark Conservation Act of 2008, which I have introduced today, includes several measures to strengthen the implementation and enforcement of that prohibition and would ensure that the intent of Congress is achieved. First, the bill eliminates an unexpected enforcement loophole related to the transport of shark fins by prohibiting vessels from having custody, control, or possession of shark fins without the corresponding carcass. This is intended to ensure that U.S.-flagged vessels are

not traveling to the high seas and purchasing fins from fishermen engaged in shark finning and bringing them into U.S. waters in an attempt to skirt the finning prohibition.

Second, the Shark Conservation Act of 2008 addresses the difficulty apparent in enforcing the statute's percentage-based standard. Existing law contains a rebuttable presumption that any shark fins landed were taken, held, or landed in violation of the Shark Finning Prohibition Act if the total weight of shark fins landed or found on board exceeds five percent of the total weight of shark carcasses landed or found on board. This "fin to carcass" ratio was intended to provide a mechanism for enforcing the finning prohibition by ensuring that the amount of fins landed is proportional to the amount of carcasses landed. It has proven virtually impossible, however, to determine whether a given set of fins belong to a particular dressed carcass. As a result, there are reports of fishermen mixing fins and carcasses for maximum profit, continuing to discard less desirable, finned sharks at sea. Therefore, the Shark Conservation Act of 2008 strikes the rebuttable presumption to improve enforcement of the prohibition on finning that has existed in statute now for nearly eight years.

Finally, the Shark Conservation Act of 2008 amends the High Seas Driftnet Fishing Moratorium Protection Act to allow the Secretary of Commerce to identify and list nations that have not adopted a regulatory program for the conservation of sharks comparable to the United States. This amendment promotes the conservation of sharks internationally and in a manner that is consistent with the expectations placed on U.S. fishermen.

The Shark Conservation Act of 2008 reestablishes the intended protections for sharks under U.S. law. I look forward to working with my colleagues on both sides of the aisle to advance this timely and important bill.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2008

Ms. SCHWARTZ. Madam Speaker, on April 8, 2008, I was unavoidably detained and was unable to be present for rollcall vote No. 162.

Had I been present, I would have voted "yea."

EXTENDING THE NEW MARKETS TAX CREDIT TO THE TERRITORIES

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2008

Ms. BORDALLO. Madam Speaker, today I have introduced a bill to amend the Internal Revenue Code of 1986 to extend eligibility under the new markets tax credit for community development entities created or organized in American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the Virgin Islands. This bill would make a technical correction to existing law governing the new markets tax credit program

and specifically authorize the Secretary of the Treasury to certify corporations or partnerships organized in one of the five U.S. territories as entities qualified to participate in the new markets tax credit program.

The Community Renewal Tax Relief Act of 2000 (Public Law 106-554) authorizes the new markets tax credit program for the purpose of increasing incentives for investment in low-income communities across the country. Under the program, qualified community development entities (CDEs) are eligible to be allocated credits from the Community Development Financial Institutions Fund at the Department of the Treasury. Taxpayers who then invest in the CDE are allocated some of those credits in return for their investment. The CDE must invest those funds in low-income communities, and the taxpayers are able to claim, over a 7-year period, credits equal to 39 percent of their investment. CDEs act as intermediaries for the provision of loans, investment funding, or financial counseling in low-income communities and are able to legally operate anywhere in the United States, including in the territories.

Despite the ability of a CDE under current law to legally and practically operate in a U.S. territory, a corporation or partnership that is created or organized in a U.S. territory applying for CDE certification cannot qualify for such certification under the current law. This ineligibility stems from such organizations being deemed "foreign" and not "domestic" under other provisions of the Internal Revenue Code of 1986. This nuance in law effectively prevents local CDEs in the territories, that is entities who would otherwise be recognized as such by the Department of the Treasury, from investing in their own communities.

The bill I have introduced today would rectify this situation which I believe is an oversight in the Community Renewal Tax Relief Act of 2000. The bill would allow for the certification of CDEs created or organized in a U.S. territory thereby enabling them, to operate and invest in their own communities. CDEs organized and operating in any one of the several States or the District of Columbia could continue to invest in low-income communities in the territories under this arrangement.

I am joined by Mr. FALEOMAVAEGA of American Samoa, Mrs. CHRISTENSEN of the Virgin Islands, and Mr. FORTUÑO of Puerto Rico, in introducing this bill. We look forward to working with the Chairman and Ranking Member of the Committee on Ways and Means to advance this bill and to support increased investment opportunities for our own communities. Ultimately, this bill is about making the new markets tax credit program work for the territories and ensuring Congressional intent behind the new markets tax credit is fully realized and fulfilled in our communities.

HONORING RYAN T. DION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2008

Mr. LARSON of Connecticut. Madam Speaker, I rise today to pay great honor to United States Marine Corps Cpl. Ryan T. Dion, a true American hero from Manchester, CT. On April 25, 2007, while serving in Unit